

Paper No. 714  
Disposes of  
Application in  
Open Court, circ.,  
4 October, 1946.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al	) ORDER:
- vs -	) GRANTING APPLICATION OF
	) THE PROSECUTION TO CONDUCT
ARAKI, Sadao; et al	) THE PHASE OF THE CASE FOR
	) THE UNION OF SOVIET SOCIAL-
	) IST REPUBLICS IN THE
	) RUSSIAN LANGUAGE.

This matter coming on for further hearing and consideration by the Tribunal in Open Court this 4th day of October, 1946, upon the application of the Prosecution for leave of the Tribunal to conduct and present in the Russian language that phase of the case relating to the Union of Soviet Socialist Republics in that:

(1) The opening statement and all comments on the evidence presented to the Tribunal will be read in the Russian language. They will be written and translated into English and Japanese beforehand. The respective texts will be served on the interpreters in good time, so that simultaneous translation into English and Japanese, and the concurrent transmission thereof, will be assured;

(2) The documents, or portions thereof, which are offered and admitted into evidence and read into the record will be prepared and presented in the same order and manner as set forth in Paragraph (1);

(3) The examination of Russian witnesses is to be carried out in the Russian language, with subsequent translation

of questions and answers simultaneously into Japanese and English;

(4) The offering and reading of affidavits in lieu of direct examination of Japanese witnesses is intended and will be done in the same way as the reading of documents in general;

(5) The President's remarks and the objections of the Defense should be translated into Russian. Accordingly, the Prosecutor's replies to the objections of the Defense and the Prosecutor's explanations to the President's remarks will have to be translated into English and Japanese simultaneously; and

The Tribunal hearing the further arguments of Counsel, and being fully advised in the premises, it is the decision of a majority of the Justices of the Tribunal and

ORDERED: That said application of the Prosecution is granted, with the exception of Paragraph (5) thereof, which reads: "The President's remarks and the objections of the Defense should be translated into Russian. Accordingly, the Prosecutor's replies to the objections of the Defense and the Prosecutor's explanations to the President's remarks will have to be translated into English and Japanese simultaneously." The application of the Prosecution to use the Russian language in respect to those matters is denied.

Dated at Tokyo, Japan, nunc pro tunc, 6 October, 1946.

Signed: 30 January, 1947.

BY THE TRIBUNAL:

(Signed) W. F. Webb  
President



SITTING:

The Honorable Sir William Webb  
The Honorable Mr. Justice Northcroft  
Lord Patrick  
The Honorable Mr. Justice Mei  
Major General of Justice I. M. Zaryanov  
Major General Myron C. Cramer  
The Honorable Mr. Justice McDougall  
The Honorable Mr. Justice Bernard  
The Honorable Mr. Justice Roling  
The Honorable Mr. Justice Pal  
The Honorable Mr. Justice Jaranilla